

Claims 10-18 were previously pending in the application. Claims 19-29 are added. Therefore, claims 10-29 are presented for consideration.

Claims 10, 11, 15 and 16 are rejected as being anticipated by SUGAYA JP 60-236454.

Reconsideration and withdrawal of the rejection are respectfully requested because the reference does not disclose or suggest that the support elements form a support for directly supporting at least one layer of storage batteries as recited in claim 10 of the present application.

By way of further explanation, page 4, lines 7-14 of the present application, disclose that support elements 30 and 32 are attached to each side of the walls 14 and 16 at regular intervals along the height of the walls 14 and 16. The support element 30 extends along the wall 14 and forms with support element 32 on wall 16 a support on which one or more layers of storage batteries 34 rest. As seen in Figure 2 of the present application, for example, the battery 34 rests directly on support element 30.

SUGAYA teaches removable supports 31, 41 that are attachable to shelves 5 within housing 1. Shelves 5 support the removable supports 31, 41 which in turn support batteries 30. SUGAYA does not disclose or suggest that each support element forms jointly with a support element of the other side wall, a support for directly supporting at least one layer of storage

batteries as recited in claim 10 of the present application.

As the reference does not disclose that which is recited, the anticipation rejection is not viable. Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 11, 15 and 16 depend from claim 10 and further define the invention and are also believed patentable over SUGAYA.

Claims 10, 11 and 13 are rejected as anticipated by BANNISTER 4,121,718. This rejection is respectfully traversed.

Claim 10 recites that at least two mutually opposite side walls extend substantially parallel between a top and bottom and define between themselves a housing.

BANNISTER discloses a display rack for an elongated article such as rolls of wallpaper. The display rack comprises a series of upright walls 1 secured together at the top and bottom by planks 4. As seen in the figure of BANNISTER, one of the planks 4 is on a top edge of the upright walls 1 and another plank 4 is on a side edge. These planks provide rigidity to the upright walls and are not a top and bottom that together with the side walls define a housing for receiving batteries as recited in claim 10 of the present application. As the reference does not disclose that which is recited, the anticipation rejection is not viable. Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 10 and 12 are rejected as being anticipated by either ROOT 3,202,291 or BELL 3,439,811. These rejections are respectfully traversed.

ROOT discloses a mounting bracket for potentiometers. The bracket has a horizontal sheet portion 12 and walls 14 and 16 extending upwardly therefrom. The structure of ROOT is neither a box, nor at least two mutually opposite side walls extending substantially parallel between a top and bottom and defining between themselves a housing as recited in claim 10 of the present application.

BELL discloses a bread storage rack with corrugated walls having a base 17 and corrugated vertical sections 18. The structure of BELL is neither a box, nor at least two mutually opposite side walls extending substantially parallel between a top and bottom and defining between themselves a housing as recited in claim 10 of the present application.

As the references do not disclose that which is recited, the anticipation rejection is not viable. Reconsideration and withdrawal of the rejections are respectfully requested.

Claims 10, 11 and 14-16 are rejected as anticipated by VUTETAKIS et al. 6,162,559. This rejection is respectfully traversed.

The Official Action has indicated element 513 as a support element. However, this assertion is not supported by the

reference. Specifically, column 8, lines 47-53 in conjunction with Figure 7 of VUTETAKIS et al. disclose that constraint member 513 is attached to each side wall 504 and spans the width of the battery compartment 510. The constraint member 513 is secured at each end to the side walls 504 to hold the side walls in a vertical position. Accordingly, VUTETAKIS et al. teach a single support element secured at each end to the side walls to hold the side walls in a vertical position, not that each side wall is internally provided with a series of projecting support elements extending along the wall, each support element forming, jointly with a support element on the other side wall, a support for directly supporting at least one layer of storage batteries as recited in claim 10 of the present application.

In addition, column 8, lines 58-62 of VUTETAKIS et al. disclose that floating plate 515 is positioned between side walls 104 and underneath the constraint member 513 to prevent the constraint member 513 from making direct contact with the cells immediately above and below the constraint member 513. The floating plate 515 is not attached to the side walls 504 or to the rear wall 512. Accordingly, VUTETAKIS et al. teach away from using a support for directly supporting at least one layer of storage batteries.

As the reference does not disclose that which is recited and in fact teaches away from that which is recited in the present application, the anticipation rejection is not viable

and a rejection combining VUTETAKIS et al. with another reference would be improper. Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 11 and 14-16 depend from claim 10 and further define the invention and are also believed patentable over the cited prior art.

Claim 17 is rejected as unpatentable over either SUGAYA or VUTETAKIS et al. in view of BECKLEY 5,441,123. This rejection is respectfully traversed.

BECKLEY is only cited for the teaching of a lifting ear on the end plate. BECKLEY does not teach or suggest what is recited in claim 10. As set forth above, neither SUGAYA nor VUTETAKIS et al. teach or suggest what is recited in claim 10. Since claim 17 depends from claim 10 and further defines the invention, the combination of references would not render obvious claim 17.

Claim 18 is rejected as unpatentable over either SUGAYA or VUTETAKIS et al. in view of KOUZU et al. 6,111,387. This rejection is respectfully traversed.

KOUZU et al. is only cited for the teaching of a system in which two battery-holding devices are connected in series. KOUZU et al. do not teach or suggest what is recited in claim 10. As set forth above, SUGAYA and VUTETAKIS et al. do not disclose or suggest what is recited in claim 10. Since claim 18 depends from claim 10 and further defines the invention, the combination

of references would not render obvious claim 18.

New claim 19 recites a modular system comprising a box according to claim 1 and a plurality of electric storage batteries, the plural electric storage batteries providing electrical power when the box and batteries are in use in a vehicle.

The box of SUGAYA is a display rack which makes it possible to visually count the number and determine the condition of the batteries within the box. The batteries in SUGAYA are not used when they are in the box. The box of VUTETAKIS et al. contains batteries stacked one on top of the other. Accordingly, when in use, heat generates that cannot be effectively dissipated. As disclosed on page 5, lines 5-9 of the present application, the space left between the layers of batteries allows heat to be evacuated by air circulating through the spaces. Accordingly, the combination of the box and the electric storage batteries when in use is not taught or suggested by the references.

New claim 22 recites plural support elements on one of the side walls and plural support elements along another one of the side walls coplanar with the plural support elements on the one side wall so that the pair of support elements directly contacts and supports at least one battery and provides a space between each battery of the set of electric storage batteries. The comments above regarding claim 10 and 19 are equally

applicable to claim 22.

New claims 23-29 depend from claim 22 and further define the invention and are also believed patentable over the cited prior art.

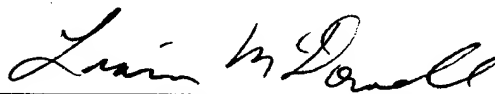
In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

Attached hereto is a marked-up version showing the changes made to the claims. The attached page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

Respectfully submitted,

YOUNG & THOMPSON

By



Liam McDowell  
Attorney for Applicants  
Registration No. 44,231  
745 South 23<sup>rd</sup> Street  
Arlington, VA 22202  
Telephone: 703/521-2297

July 28, 2003

**"VERSION WITH MARKINGS TO SHOW CHANGES MADE"**

IN THE CLAIMS:

Claim 10 has been amended as follows:

--10. (amended) A box for a set of electric storage batteries [(34)] for an electric self-propelled vehicle, comprising:

a top;

a bottom;

at least two mutually opposite side walls [(14, 16)] extending substantially parallel between said top and bottom and defining between themselves a housing for receiving batteries,

[characterized in that] wherein each side wall [(14, 16)] is internally provided with a series of projecting support elements [(30, 32)] extending along the wall, each support element [(30, 32)] forming, jointly with a support element [(30, 32)] of the other side wall, a support for directly supporting at least one layer of storage batteries [(34)].--